

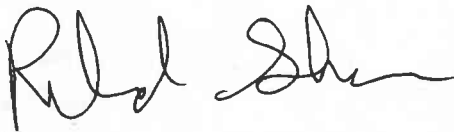
AFFIDAVIT OF PUBLICATION

STATE OF UTAH)

ss.

County of Emery,)

I, Richard Shaw, on oath, say that I am the Publisher of the Emery County Progress, a weekly newspaper of general circulation, published at Castle Dale, State and County aforesaid, and that a certain notice, a true copy of which is hereto attached, was published in the full issue of such newspaper for 4 (Four) consecutive issues, and the first publication was on the 3rd day of August, 2010, and that the last publication of such notice was in the issue of such newspaper dated the 24th day of August, 2010.



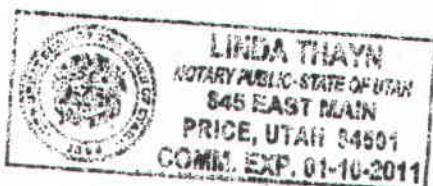
Richard Shaw – Publisher

Subscribed and sworn to before me this 24th day of August, 2010.



Notary Public My commission expires January 10, 2011 Residing at Price, Utah

Publication fee, \$ 429.12



RECEIVED

SEP 07 2010

DIV. OF OIL, GAS & MINING

**APPLICATION FOR PHASE III BOND RELEASE  
COTTONWOOD/WILBERG MINE  
MILLER CANYON PORTAL BREAKOUTS  
C/015/0019  
ENERGY WEST MINING COMPANY  
P.O. BOX 310  
HUNTINGTON, UTAH 84528**

PacifiCorp, by and through its wholly-owned subsidiary, Energy West Mining Company ("Energy West") as mine operator, has filed with the Division of Oil, Gas and Mining an application for Phase III Bond Release for the Miller Canyon portal breakouts of the Cottonwood/Wilberg Mine.

The Miller Canyon breakouts are located in the NW1/4 SE1/4 of Section 30, Township 17 South, Range 7 East, SLB&M and within United States Forest Service Lands. PacifiCorp is the sub-leasee for Federal Coal Lease (U-083066) to conduct underground mining operations. Mining in this area is no longer being conducted in this area. Total disturbance associated with the ventilation breakouts is approximately 0.02 acres.

The Miller Canyon ventilation breakouts consisted of three separate portals located on the western side of East Mountain. The portals were developed in the coal outcrop and talus deposits on a vertical cliff face. As part of PacifiCorp's enhancement project, rock and aesthetically appealing materials were strategically placed along the coal outcrop area to blend the portal site to the surrounding terrain. Ground water discharges that occur from the portal area have been monitored according to the approved plan and Utah Pollution Discharge Elimination System guidelines. Seeps are common along the cliffs in this area.

On June 25, 1999, Energy West completed final reclamation of the portal sites as specified in the approved plan. Reclamation activities consisted of reconfiguration of the landscape to be consistent with the surrounding environment. Phase I bond release was approved on June 21, 2002.

A Surety bond is posted with the Division for the Cottonwood/Wilberg mine in the amount of \$3,252,000.00. PacifiCorp is requesting Phase II and Phase III release of reclamation liability. Bond reduction is not requested at this time.

A copy of the Phase III Bond Release application may be examined at the office of the Division of Oil, Gas and Mining, 1594 West North Temple, Suite 1210, Salt Lake City, Utah 84114-5801 and also at the Records Office located in the Emery County Courthouse in Castle Dale, Utah. Written comments, objections, or requests for an informal conference may be submitted to the Division of Oil, Gas, and Mining address above. Said comments must be submitted thirty (30) days from the date of the last publication of this notice.

This notice is being published to comply with the Surface Mining Control and Reclamation Act of 1977, and State and Federal regulations promulgated pursuant to said Act.

Published in the Emery County Progress August 3, 10, 17 and 24, 2010.